

## V. REMARKS

In the office action, correction of Figs. 1 and 2 was required by insertion of the legend "Prior Art". This correction is made by the present amendment. Requirement was made for entry of section headings in the specification, this requirement have been met by the present amendment. Requirement was also made in the specification to replace references to the claims (Point 4.1 of the Action) with the claim language. This requirement has been met by the present amendment.

With respect to the claim objections (Point 5 of the Action), "characterized in that" has been replaced with "wherein", and line indentations have been added at various locations within the claims, as requested by the examiner.

Claim 1-12 were rejected under 35 U.S.C. 102 as being anticipated by Umeuchi (US 6,512,747) for reasons set forth in the action. This ground of rejection is believed to be overcome by the following argument. Accordingly, all of the claims are believed to be allowable.

Umeuchi relates to an ATM transmission system in which a plurality of ATM cells are grouped to a packet with an end of ATM cell having an EOP (End Of Packet) flag. A transmitting station comprises a transmit buffer for storing temporarily ATM cells to be transmitted, a transmit cell process means which discards all of the ATM cells in the group in case that a NAK response indicating loss or wrong reception of the ATM cell is received from a receiving station, and an ATM cell generator for transmitting an EOP cell having the EOP flag instead of the discarded ATM cells (Umeuchi abstract).

The ATM technology is a compromise between a circuit switched and a packet circuit transmission, but ATM is always connection oriented. In ATM technology, it is assumed that the used data link is high class, that is, error probability is very low because ATM is initially developed to the backbone networks in which an optical transmission is used.

The present invention relates to a system different from the prior art, the prior art having a higher error probability. The purpose of the present invention is to produce a data transmission connection with small delays between two points. The invention is suitable for real-time applications, and allows the transmission of slightly corrupted data. Furthermore, it is an aim of the invention to improve the quality of real-time data transmission (present specification, page 9 at lines 16-20). An important concept of the present invention is that all erroneous RLC SDUs are not automatically discarded. The RLC PDUs are always transmitted as RLC SDU to the PDCP sublayer, but if errors are detected in RLC PDUs, information on the location of the erroneous point in the RLC SDU is transmitted to the PDCP sublayer in addition to the composed RLC SDU (page 9, lines 22-30).

Umeuchi is directed to a different situation and solves a different problem, namely, the situation wherein an erroneous ATM cell is included in a packet which has a plurality of ATM cells, a whole packet must be discarded as a non-useless packet. Therefore, even correct ATM cells included in an erroneous packet might be discarded (column 3 at lines 24-30). Umeuchi presents a solution in which the whole packet is not discarded but only those cells which have some errors (column 11 at lines 43-46) are discarded. Umeuchi does not present any teaching

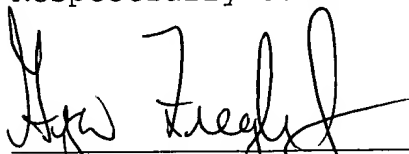
wherein information on the location of one or more errors is also transmitted to the upper layer, as set forth in present independent claims 1, 11 and 12.

The Umeuchi teaching differs very much from the solution of the present invention, and provides no motivation for a person skilled in the art to practice the present invention. Accordingly, the present claims are believed to set forth an invention which is distinguishable from Umeuchi and, therefore, should be allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$420.00 is enclosed for a two month extension of time fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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28 May 2004  
Date

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